

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA**

HON. GUY RESCHENTHALER,
a member of the U.S. House of
Representatives, HON. DAN MEUSER,
a member of the U.S. House of
Representatives, HON. GLENN “G.T.”
THOMPSON, a member of the U.S.
House of Representatives, HON. LLOYD
SMUCKER, a member of the U.S. House
of Representatives, HON. MIKE KELLY,
a member of the U.S. House of
Representatives, HON. SCOTT PERRY,
a member of the U.S. House of
Representatives, PA FAIR ELECTIONS,

Plaintiffs,

v.

AL SCHMIDT, in his official capacity as
Secretary of the Commonwealth
JONATHAN MARKS, in his official
capacity as the Deputy Secretary for
Elections and Commissions for the
Commonwealth of Pennsylvania,

Defendants,

and

DEMOCRATIC NATIONAL
COMMITTEE, PENNSYLVANIA
DEMOCRATIC PARTY,

Intervenor-Defendants.

**Case No. 1:24-cv-1671-CCC
Judge Christopher C. Conner**

**MEMORANDUM OF THE DEMOCRATIC NATIONAL COMMITTEE
AND THE PENNSYLVANIA DEMOCRATIC PARTY
REGARDING THE OCTOBER 18, 2024, HEARING**

The Court's October 4 order in this case (Dkt. 21) directed the parties to file prehearing memoranda to "apprise the court whether they anticipate calling any witnesses or putting on additional evidence beyond the supporting affidavit and exhibits attached to plaintiffs' complaint and motion." Consistent with the Court's order yesterday converting the upcoming evidentiary hearing to an oral argument (Dkt. 40), the Democratic National Committee and the Pennsylvania Democratic Party do not intend to call any witnesses or put on any evidence.

October 16, 2024

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**Pro hac vice pending*

Respectfully submitted,

/s/ Clifford B. Levine

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CERTIFICATE OF SERVICE

A true and correct copy of the foregoing was served on all counsel of record on October 16, 2024, by this Court's CM/ECF system.

/s/ Clifford B. Levine

CLIFFORD B. LEVINE